

DECLARATION
(Original, Design, National Stage of PCT
or CIP Application)

ATTORNEY'S DOCKET NO.
34302

FEB 02 2004

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FERTILIZER INJECTOR WING FOR DISC OPENERS

the specification of which: (complete (a), (b) or (c) for type of application)

REGULAR OR DESIGN APPLICATION

- (a) [] is attached hereto.
(b) [X] was filed on September 9, 2003 as Application Serial No. 10/659,564 and was amended on _____
(if applicable).

PCT FILED APPLICATION ENTERING NATIONAL PHASE

- (c) was described and claimed in International Application No. _____ filed _____ and as amended
on _____ (if any).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

[] In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(complete (d) or (e))

- (d) [X] no such applications have been filed.
(e) [] such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS PRIOR TO SAID APPLICATION

Country	Application No.	Date of Filing	Date of Issue	Priority Claimed
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS PRIOR TO SAID APPLICATION

PROVISIONAL

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States application(s) listed below:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
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CONTINUATION-IN-PART

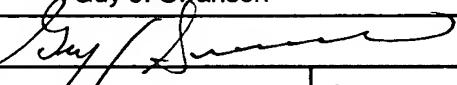
(Complete This Part Only If This Is A Continuation-In-Part Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a), which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
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Application Serial No.	Filing Date	Status (patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Guy J. Swanson		
Inventor's Signature			
Date	Tan 24, 04	Country of Citizenship	United States
Residence	3310 E. Trent Avenue, Spokane, Washington 99202		
Post Office Address	3310 E. Trent Avenue, Spokane, Washington 99202		



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application of:

SWANSON, GUY J.

Serial No.: 10/659,564

Filed: September 9, 2003

FERTILIZER INJECTOR WING FOR DISC OPENERS

) Examiner:

) Group Art Unit 3671

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

POWER OF ATTORNEY

The Owner of the entire right, title, and interest in the above-referenced application is EXACTRIX LLC (hereinafter "Assignee"), 3310 E. Trent Avenue, Spokane, Washington 99202. The undersigned, Mr. Guy Swanson, President, has the authority to sign on behalf of Assignee.

An assignment of the above-referenced application from the inventor, Guy J. Swanson, to Assignee is attached hereto.

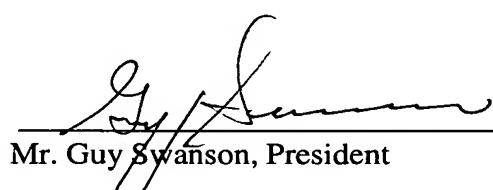
Assignee hereby appoints the following individuals as its attorneys for the purpose of receiving all future correspondence in connection with said patent application and transacting all business in the United States Patent and Trademark Office with respect to said patent application:

Robert D. Hovey	19,228	Tracey S. Truitt	43,205
Warren N. Williams	19,156	David V. Ayres	46,529
Stephen D. Timmons	26,513	Kameron D. Kelly	44,181
John M. Collins	26,262	Gregory J. Skoch	48,267
Thomas H. Van Hoozer	32,761	Jennifer C. Bailey	52,583
Thomas B. Luebbering	37,874	David L. Terrell, Patent Agent	50,576
Andrew G. Colombo	40,565	Jason E. Gorden	46,734
Scott R. Brown	40,535		
Tracy L. Bornman	42,347		

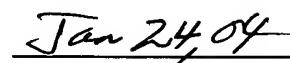
Send correspondence to Hovey Williams LLP, 2405 Grand Blvd., Suite 400, Kansas City,
Missouri 64108; and direct telephone calls to (816) 474-9050.

EXACTRIX LLC

By:



Mr. Guy Swanson, President



DATE

(DOCKET NO. 34302)

ASSIGNMENT

WHEREAS, I, Guy J. Swanson of 3310 E. Trent Avenue, Spokane, Washington 99202; have invented certain new and useful improvements in a

FERTILIZER INJECTOR WING FOR DISC OPENERS

for which I have filed an application for Letters Patent of the United States, identified as follows:
Serial No. 10/659,564 filed September 9, 2003; and

WHEREAS, EXACTRIX LLC, a corporation duly organized under the laws of the State of Washington and having its principal place of business at 3310 E. Trent Avenue, Spokane, Washington 99202, is desirous of acquiring all interests in, to and under said invention, said application and any and all Letters Patent which may be granted for or upon said invention in the United States of America and all countries foreign thereto.

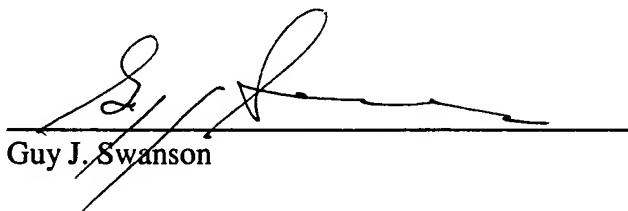
NOW, THEREFORE, to all whom it may concern be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, Guy J. Swanson, as the sole inventor, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said EXACTRIX LLC the full and exclusive right, title and interest, throughout the world, in, to and under the following:

- (a) said invention as fully set forth and described in said application;
- (b) said application;
- (c) any and all refilings, divisions, and continuations of said application;
- (d) any and all Letters Patent of the United States of America which may issue from said application, refilings, divisions and continuations;

- (e) any and all reissues of said Letters Patent of the United States of America;
- (f) any and all applications for Letters Patent upon said invention which have heretofore been filed or may hereafter be filed in any and all countries foreign to the United States of America, together with all rights to file and to claim priority in connection with said foreign-filed applications;
- (g) any and all refilings, divisions and continuations of said foreign-filed applications;
- (h) any and all Letters Patent of countries foreign to the United States of America which may issue from the said foreign-filed applications, refilings, divisions and continuations; and
- (i) any and all extensions of, and additions to, said Letters Patent of countries foreign to the United States of America.

ALL of the above shall be solely held and enjoyed by said EXACTRIX LLC for its own use and behoof, and for its successors, legal representatives and assigns, to the full end of the term for which said Letters Patent may be granted, and I do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent in accordance with this Assignment.

Date: Jan 24, 0X



Guy J. Swanson

STATE OF)
) ss.
County of)

On this _____ day of _____, 2004, before me personally appeared **Guy J. Swanson**, to me known to be the person described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

My Commission expires:

Notary Public

[SEAL]

Applicant or Patentee: SWANSON, GUY J.

Attorney's Docket No.: 34302

Serial or Patent No.: 10/659,564

Filed or Issued: September 9, 2003

FOR FERTILIZER INJECTOR WING FOR DISC OPENERS

FEB 02 2004

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am
[] the owner of the small business concern identified below:
[X] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN EXACTRIX LLC

ADDRESS OF CONCERN 3310 E. Trent Avenue, Spokane, Washington 99202

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FERTILIZER INJECTOR WING FOR DISC OPENERS by inventor(s) Guy J. Swanson described in

- [] the specification filed herewith.
[X] application serial no. 10/659,564, filed September 9, 2003.
[] patent no. , issued .

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Name
Address
[] Individual [] Small Business Concern [] Nonprofit Organization
Name
Address
[] Individual [] Small Business Concern [] Nonprofit Organization

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

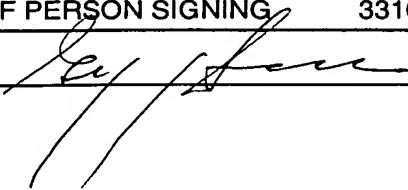
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Guy J. Swanson

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 3310 E. Trent Avenue, Spokane, Washington 99202

SIGNATURE 

DATE Jan 24, 04